COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

OFFICER INVOLVED SHOOTING EVALUATION

UNIT: CARSON STATION
DATE: SEPTEMBER 2, 1991
TIME: 1605 HOURS
LOCATION: WILLOWBROOK PARK

URN#: 091-14364-1689-055
IAB#: S91-0799
NATURE OF INCIDENT: DEPUTY ON PATROL SHOT AN ARMED SUSPECT

COMPLETED BY: KEN FOWLER & TOM MARTIN, SERGEANTS
Internal Affairs Bureau

DATE: SEPTEMBER 13, 1991

REVIEWED BY THE FOLLOWING:

UNIT COMMANDER DATE: 2-26-92
AREA CMDR: 2/26/92 EPC PRESENTATION
DIVISION CHIEF DATE: 3/5/92
ASSISTANT SHERIFF DATE: 4/2/92

INCIDENT DATA

WHAT INITIATED INCIDENT?

CALL: OBSERVATION: **X** SEARCH WARRANT: ARREST WARRANT:

<u>LOCATION OF OCCURRENCE:</u> **Willowbrook State Park**
905 East El Segundo Blvd.,
Los Angeles

<u>TYPE OF LOCATION</u>

RESIDENCE: BUSINESS: INDUSTRIAL: PARKING LOT:

STREET: BACKYARD: FREEWAY: RURAL:

BEACH: PARK: **X** PARKING LOT:

<u>SHOOTING CONDITIONS</u>

DATE: **09-02-91** TIME: **1605** DAY OF WEEK: **Monday**

LIGHTING: **Daylight** DISTANCE: **20 Feet**

WEATHER: **Clear and hot**

<u>CONTRIBUTING FACTORS</u>

CLASSIFICATION

ACCIDENTAL:

GUN TAKE-AWAY:

PERSON(S) ARMED: **Yes**

PERSON(S) UNARMED:

STARTLE:

UNINTENTIONAL:

DEPUTY IN UNIFORM: **Yes** RAID JACKET: **No** PLAIN CLOTHES: **No**

VEST WORN: **Yes**

FOOT PURSUIT: **Yes**

VEHICLE PURSUIT: **No**

VEHICLE STOP: **No**

TYPE OF HOLSTER: **County Issued**

GUN IN HOLSTER: **Yes, prior to shooting**

STRUGGLE INVOLVED: **No**

ADDITIONAL FACTS AND INFORMATION:

DEPUTY INVOLVED

SHOOTER: **YES**

EMPLOYEES NAME: **STALEY, Michael E., Deputy #**[redacted]
Carson Station
Field Operations Region II

SEX: **M** RACE: **W** HEIGHT: **6'02"** WEIGHT: **215**

D.O.B.: [redacted] AGE: **37**

DUTY STATUS: **On Duty**

UNIFORM: **YES** RAID JACKET: PLAIN CLOTHES: VEST: **YES**

HIRE DATE: **08-28-85**

PRIOR SHOOTING INCIDENTS (ALL KNOWN INCIDENTS WHERE DEPUTY HAS DISCHARGED A WEAPON INCLUDING ACCIDENTAL DISCHARGES AND SHOTS FIRED AT ANIMALS OR HUMANS)
DATE TYPE

[redacted]

INJURED: **No** DECEASED: **No**
CORONER'S CASE #

DESCRIPTION OF INJURIES: **Not Applicable**

WEAPON USED: **County Issued Beretta 92F**

TYPE: **9mm - Autoloader** AUTHORIZED: **Yes**

AMMUNITION TYPE: **9mm** AUTHORIZED: **Yes**

RANGE QUALIFICATION (LAST DATE): [redacted]

NUMBER OF ROUNDS FIRED BY DEPUTY: **(1) One**

NUMBER OF HITS: **(1) One**

DEPUTY INVOLVED
(CONTINUED)

DEPUTY'S TOXICOLOGY

UNDER THE INFLUENCE: **No**

TEST FOR CAUSE ORDERED: **No** ORDERED BY:

ASSIGNMENT HISTORY



[redacted]

01-01-89 Carson Station " "

LASER VILLAGE TRAINING (LAST DATE): [redacted]

PRACTICAL POLICE COURSE (LAST DATE): [redacted]

SUSPECT

LAST NAME: **CLEMONS** FIRST NAME: **STEVEN** M: **CLARK**

ADDRESS: [redacted], #[redacted], [redacted]

SEX: **M** RACE: **B** HEIGHT: **5'09"** WEIGHT: **170**

D.O.B.: **09-04-62** AGE: **28**

DECEASED: **YES** CORONER'S CASE **#91-8099**

INJURED: **NOT APPLICABLE**

DESCRIPTION OF INJURIES: **SINGLE GUNSHOT WOUND TO UPPER BACK AREA**

SUSPECT'S TOXICOLOGY

UNDER THE INFLUENCE: **Unknown**

TYPE OF SUBSTANCE: LAB TEST CONDUCTED:

ARMED: **Yes**

TYPE OF WEAPON: **Handgun**

NUMBER OF SHOTS FIRED BY SUSPECT: **(0) None**

NUMBER OF HITS: **(0) None**

SUSPECT VEHICLE: **No Vehicle**

CRIMINAL HISTORY: **(SEE EXHIBIT A)**

SUMMARY OF INCIDENT:

The investigators were advised at 1705 hours by the Sheriff's Information Bureau of a deputy involved shooting that occurred at Willowbrook Park. The investigators were also advised that the suspect was dead at the park and that there was a mini-riot in progress at the park.

Sergeant Fowler and Sergeant Martin responded to Willowbrook Park arriving at approximately 1855 hours.

The investigators noted that Willowbrook Park is a State park located in the northeast area of El Segundo Boulevard and Avalon Boulevard. The park is comprised of several acres with grass lawns, small trees, parking lots, small rolling knolls, picnic areas with small patios and patio covers, and a small lake in the center of the park (See Diagram of Park, Exhibit B). Located adjacent to the east and south side of the lake were several black and white patrol cars, several unmarked cars, a Sheriff's Department black and white van and an Emergency Services Detail truck. The investigators noted that there was a body under a white blanket laying on the east side of the lake approximately 15 feet from the shoreline (See Diagram of Location, Exhibit C). There was a yellow Sheriff's Crime Scene tape strung across the beach area. Within this containment area there were two divers from the Emergency Services Detail conducting a search of the lake adjacent to the body. There were no radio cars parked within the yellow taped off area (See Photos of Scene, Exhibit D).

Deputy District Attorney Christopher Darden and District Attorney's Investigator Richard Daum arrived at the scene at approximately 1905 hours.

The investigators then contacted Lieutenant Don Bear of Homicide Bureau, who related the following:

Deputy Staley and his partner, a trainee, [redacted], Deputy #[redacted] Carson Station, Field Operations Region II, who was driving, were on patrol in Willowbrook Park at about 1610 hours on Labor Day, September 2, 1991. They were flagged down by an unknown citizen who told them that a group of people were loitering about the rest room area in the park creating a disturbance. The deputies drove towards the group and noticed that the group began to disperse. One individual, later identified as Suspect Clemons, began walking away from the rest of the group. As the deputies exited their car, Deputy Staley told his partner to watch Suspect Clemons who appeared to be preparing to run. Suspect Clemons began running from the deputies towards the center of the park.

Deputy [redacted] began chasing the suspect on foot while Deputy Staley entered the radio car and began following the suspect in the radio car. Deputy Staley finally passed his partner and was approaching

the suspect as the suspect ran towards the lake in the center of the park.

> I.A.B. NOTE: According to the tape recording of the radio traffic, there was a broadcast that Carson unit 161 was in foot pursuit in Willowbrook Park with the suspect running towards Ujima Village (Exhibit E).

After the suspect had run the approximate 200 to 300 yards from the rest room area to the beach of the lake, he appeared to be reaching for something in his waistband area. Suddenly a handgun fell from the suspect's waistband area onto the beach. The suspect continued running for a step or two, stopped, turned around, reached down and grabbed the gun by the grip. Deputy Staley, who had been following him in the radio car, stopped the radio car about twenty feet from the suspect, opened his car door and pointed his Beretta at the suspect. At that time the suspect picked up the gun and pointed it in Deputy Staley's direction. Deputy Staley fired one round from his gun. Just as Deputy Staley fired, the suspect began to turn his head and upper torso away from Deputy Staley and began throwing the gun into the lake. The suspect was struck in the upper back area by the one shot fired by Deputy Staley. The suspect had already been in the motion of throwing the gun into the lake and he continued to do so prior to falling to the ground. The gun was thrown into the lake about twenty to thirty feet from the shoreline.

Sergeant Eugene Cox of Homicide Bureau interviewed Deputy [redacted] during his investigation. Deputy [redacted] told him that he began chasing the suspect on foot, but stopped when he realized that his partner was not with him. He stopped so suddenly that he slipped and fell. Deputy Staley motioned for him to continue chasing the suspect, so he resumed chasing the suspect. He said that Deputy Staley started driving the radio car after the suspect, while he continued to run. Deputy [redacted] ran over the top of a small knoll overlooking the lake when he saw the suspect drop his gun, pick it up, point it at Deputy Staley who was behind the door to his radio car, then he saw Deputy Staley shoot the suspect. He also saw the suspect throwing the weapon into the lake. Deputy [redacted] had his gun drawn and pointed at the suspect, but he did not fire because he was directly behind Deputy Staley and was concerned he might shoot his partner.

> I.A.B. NOTE: According to the tape recorded radio traffic, Carson unit 161 advised of a 9-9-8 at Willowbrook Park approximately forty four (44) seconds after first broadcasting the foot pursuit.

According to Sergeant Cox, members of the suspect's family and his friends that he interviewed claimed that it was Deputy [redacted] that fired the shot at the suspect. Even though they all claimed to be standing on or around the knoll adjacent to the lake watching the

entire incident unfold, they obviously were not any where near when the shot was fired, because they all assumed because they saw Deputy [redacted] pointing his gun that it was him who fired the shot.

After the shooting, members of the suspect's family arrived on the scene and attempted to enter the crime scene. They were prevented from doing so, but a large crowd formed and surrounded the deputies. Several units from other stations arrived and assisted in the crowd control.

> I.A.B. NOTE: The tape recorded radio traffic reveals that immediately after the officer involved shooting broadcast, Unit 161 requested immediate assistance due to the shooting and because of an unruly crowd. In the background, numerous loud angry voices can be heard.

According to the reports submitted by Carson Station personnel, the paramedics were called to the scene and, upon arrival, they pronounced the suspect dead at 1620 hours (Exhibit F).

> I.A.B. NOTE: According to the tape recorded radio traffic, approximately 90 seconds after the broadcast advising of the officer involved shooting, S.R.C. advised the units at Willowbrook Park that paramedics had been requested.
>
> Approximately five minutes and forty seconds and again at six minutes after the broadcast advising of the officer involved shooting, a field unit requested to know if paramedics were responding.
>
> Approximately nine minutes and ten seconds after the broadcast advising of the officer involved shooting, Firestone Unit 12 advised S.R.C. that Fire Department was on the scene.

Members of the Sheriff's Department Emergency Services Detail arrived and began searching the lake for the weapon. The divers found a small caliber blue steel semi-automatic handgun in the lake approximately 30 feet from the shoreline adjacent to where the suspect's body was laying at approximately 2220 hours.

Lieutenant Bear said that they had Deputy [redacted] return to the scene to position the radio car into the position it had been at the time of the shooting. Photos were taken of the scene after the radio car had been repositioned.

However, on September 6, 1991, Sergeant Wisebarger of Homicide advised Sergeant Fowler that the position of the radio car as depicted in the original crime scene photos was incorrect. He said they were responding to the park with Deputy Staley and Deputy [redacted] to reposition the radio car to the correct position. New photos were taken of the scene and a new crime scene drawing was made at that time.

Sergeant Cox of Homicide Bureau stated that the autopsy conducted on the suspect revealed he had been shot in the upper back (See Photos of Suspect, Exhibit G). The trajectory of the bullet was slightly up and to the right. The expended round was found behind the suspect's right ear.

The investigators learned from talking to Lieutenant Spears of Internal Affairs Bureau that there are surveillance cameras on tall poles in the park. Sergeant Fowler contacted Sergeant [redacted] of the Safety Police on September 4, 1991, and requested information relative to their cameras. He stated the surveillance system was not working the day of the shooting and had not been operational for several months.

According to Sergeant Cox, the investigators from the District Attorney's Office contacted several people in the nearby Ujima Village housing area who supported Deputy Staley's version of the events.

On September 10, 1991, Sergeant Fowler contacted District Attorney's Investigator Richard Daum and asked him what information he developed. Investigator Daum said that on the afternoon of September 3, 1991, approximately 6 to 8 investigators from his office went to Willowbrook Park where they contacted between 80 and 100 witnesses. They contacted between 15 and 20 witnesses who saw portions of the incident. They also contacted 3 or 4 witnesses who saw the entire shooting incident unfold.

These witnesses told the District Attorney's investigators they saw the suspect running on the beach reaching into his waistband and pulling out a gun. The suspect dropped the gun onto the beach at which time the suspect stopped, turned and picked up the gun. They said the suspect then pointed the gun at Deputy Staley, who was with the radio car, at which time Deputy Staley fired one round at the suspect. They also saw the suspect throw the gun into the lake. He explained that he did not have the names of those witnesses yet because he had not yet transcribed the tape recorded interviews and probably would not have them available for two or three weeks.

WITNESS LIST

1. [redacted], Sergeant
   Los Angeles County Safety Police
   360 West El Segundo Boulevard,
   Los Angeles, Ca.
   (213) 329-2760

STATEMENT: **Sergeant [redacted] was interviewed on September 4, 1991 at 0930 hours by Sergeant Fowler of Internal Affairs Bureau. Sergeant [redacted] said there are surveillance cameras at Willowbrook Park, however, they have not been operational for several months. He said that on September 2, 1991, when the shooting incident occurred, they were not operational, so they did not have anyone monitoring the activities nor did they have a video tape of the incident.**

NOTE: THIS LIST ONLY CONTAINS THOSE WITNESSES PERSONALLY INTERVIEWED BY I.A.B. INVESTIGATORS. SEE ATTACHED REPORTS AND DOCUMENTS FOR POSSIBLE ADDITIONAL WITNESSES.